



United States Environmental Protection Agency
Region I - New England
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912

Certified Mail
Return Receipt Requested

DEC 21 2016

Thom Lauzon, Owner
METRO Building
125 Nelson Street
Barre, VT 05641

Re: Request for Information ("RFI"), Docket No. CWA-308-R01-FY17-24 for METRO Building located at 21 Metro Way, Barre, Vermont

Dear Mr. Lauzon:

On November 14, 2016, a representative from the U.S. Environmental Protection Agency ("EPA") conducted an inspection of your 20,000-gallon aboveground bulk oil storage tank located at the METRO Building, 21 Metro Way, Barre, Vermont ("the Facility"). Prior to conducting the inspection, you granted EPA's inspector permission to access the Facility and conduct the inspection.

EPA's inspector observed certain deficiencies related to the Facility's compliance with the Oil Pollution Prevention Regulations at 40 C.F.R. Part 112, promulgated under Section 311 of the Clean Water Act, 33 U.S.C. § 1321. Photographs taken during the inspection are included as Attachment A (and include EPA comments of certain deficiencies and issues noted in parenthesis).

Under the authority of Sections 308 and 311(m) of the Clean Water Act, 33 U.S.C. §§ 1318 and 1321(m), you are hereby required to submit to EPA **within 30 calendar days** of your receipt of this letter a response to the following questions and to the issues noted in Attachment A.

1. Specify the full legal name(s) with exact spelling, the business mailing address, and telephone number for the Facility. If incorporated, specify the state of incorporation and the principal place of business. If a partnership, provide the names and addresses of all the partners.
2. Specify the entity or entities that own or have owned the Facility from January 1, 2012, to the present. If any transfer of ownership has occurred, specify the owner(s) prior to and following the transfer, and the date of transfer.
3. Submit a copy of a new or revised/amended Spill Prevention, Control and Countermeasure Plan ("SPCC Plan") or ("the Plan"); and if completion of the Plan and "on-the-ground" site improvements are not feasible within 30 calendar days, submit a detailed and itemized schedule outlining when the Plan and site improvements will be complete. Include the name, address, license number, and state of licensure for the registered professional engineer certifying the new or revised/amended SPCC Plan.

4. Provide a statement detailing actions you have taken or expect to take to correct the deficiencies specified in the pictures in Attachment A.
5. It appears that your Facility is required to have an SPCC Plan. Include as part of your response the following information:
 - a. The expected or actual total engineering cost to create the Plan;
 - b. An itemized list of each "on-the-ground" site improvement and the cost to implement each improvement. Costs include, but are not limited to, the actual or estimated cost to: paint tank supports showing surface corrosion, implement general secondary containment for the off-loading area; contract services of a licensed certified tank and piping inspector to conduct a formal external tank inspection for all transfer piping, valves and apertures. Include estimated or actual costs to repair equipment and facilities not in full compliance with EPA's Oil Pollution Prevention Regulations.
6. Describe, in detail, oil transfer steps and equipment used (i.e., piping, fittings, pumps, valves, platform, etc.) for off-loading oil from an oil tanker truck into your 20,000 gallon oil storage tank. Your description shall include a detailed Process Flow Diagram ("PFD") illustrating the Facility's 20,000-gallon tank, piping and alarm systems. The diagram shall illustrate, at a minimum, the tank, size of tank and containment volume associated with the interstice space around the tank, all piping and valves, type and size of piping and valves, directional flow of oil through pipes and valves during tanker truck off-loading operations when filling the tank, and overflow alarm system. The diagram shall be prepared and stamped by a licensed professional engineer.
7. Provide a copy of any formal internal or external tank and or piping inspection records for the Facility from January 1, 2012 to the present.
8. Since January 1, 2012 to the present, provide the annual amount of oil (expressed in gallons) introduced into the tank, and any service tank or piping records and invoices.

Answers to the above set of questions shall be sent by Certified Mail Return Receipt Requested to:

Joseph Canzano, P.E.
Region I Oil Spill Prevention Enforcement Officer
U.S. Environmental Protection Agency, Region I
5 Post Office Sq., Suite 100
Mail Code OES04-4
Boston, MA 02109-3912

Noncompliance with the Oil Pollution Prevention Regulations constitutes a violation of the federal Clean Water Act for which both injunctive relief and penalties may be sought. EPA reserves its right to take further enforcement action pursuant to the federal Clean Water Act, and other applicable laws, including the right to seek penalties, for any violations detected at the above-referenced inspection. Although preparation and/or revision and submittal of an SPCC Plan to EPA does not preclude EPA from seeking penalties for violations of the federal Clean Water Act, your prompt response towards coming into full compliance with the Oil Pollution Prevention Regulations will be taken into account in determining EPA's enforcement response.

Compliance with this information request is mandatory. Failure to respond fully and truthfully, or to adequately justify any failure to respond, within the time frame specified above, also constitutes a violation of the federal Clean Water Act subject to enforcement action, including the assessment of civil penalties. In addition, providing false, fictitious, or fraudulent statements or representations may subject

you to criminal prosecution under 18 U.S.C. § 1001. If information or documents not known or available to you as of the date of submission of your response to this request should later become known or available to you, you must supplement your response to EPA. Moreover, should you find at any time after the submission of the response that any portion of the submitted information is false or misrepresents the truth, you must notify EPA of this fact as soon as possible, and provide a corrected response.

You may, if you desire, assert a business confidentiality claim covering part or all of the information requested in the manner described by 40 C.F.R. § 2.203(b). All information claimed to be confidential should be contained on separate sheet(s) and should be clearly identified as "trade secret" or "proprietary" or "company confidential." These separate marked sheets should be submitted to EPA by hard copy or compact disc, and not by email. Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures, set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public without further notice to you.

Your response to this Request **must be accompanied by the Statement of Certification that is signed and dated by the person who is authorized to respond to the Request** on behalf of the company. The Statement of Certification is enclosed with this letter.

If you have any questions concerning your compliance with this letter or how to respond, you may contact Joseph Canzano, EPA's technical contact in this matter directly at (617) 918-1763, or you may have your attorney contact Jeffrey Kopf, EPA's attorney in this matter at (617) 918-1796. For more information on EPA's Oil Pollution Prevention Regulation go to www.epa.gov/oilspill where EPA provides general guidance and documentation on EPA's Oil Pollution Prevention Regulations and SPCC Plan development.

Sincerely,



James Chow, Manager,
Technical Enforcement Office
Office of Environmental Stewardship

Enclosure

cc: Fire Chief, Town of Barre
Marc Roy, VT-DEC
Joseph Canzano, Oil Spill Prevention Enforcement Officer, EPA Region 1
Jeffrey Kopf, Senior Enforcement Counsel, EPA Region 1

**Statement of Certification
for
METRO Building
21 Metro Way
Barre, VT 05641**

(To be returned with Response to Information Request)

I declare under penalty of perjury that I am authorized to respond and I further certify that the foregoing responses and information submitted were prepared under my direction or supervision and that I have personal knowledge of all matters set forth in the responses and the accompanying information. I certify that the responses are true, accurate, and complete, and I'm aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

(Signature)

(Print Name)

(Title)

(Date)

Attachment A

**METRO Building
21 Metro Way
Barre, VT 05641**

**EPA Inspection
11/14/16**

**44° 11' 54" N
72° 30' 18" W**

1

METRO Building
21 Metro Way
Barre, VT 05641
EPA Inspection 11/14/16
Bing Map Aerial Image

Stevens Branch River

Catch
Basin

Horizontal
20,000 Gallon
No. 2 Oil Tank

METRO
Building
44° 11' 54" N
72° 30' 18" W

Metro Way

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METRO Building
21 Metro Way
Barre, VT 05641
EPA Inspection 11/14/16



Stevens Branch River

*Horizontal
20,000 Gallon
No. 2 Oil Tank*

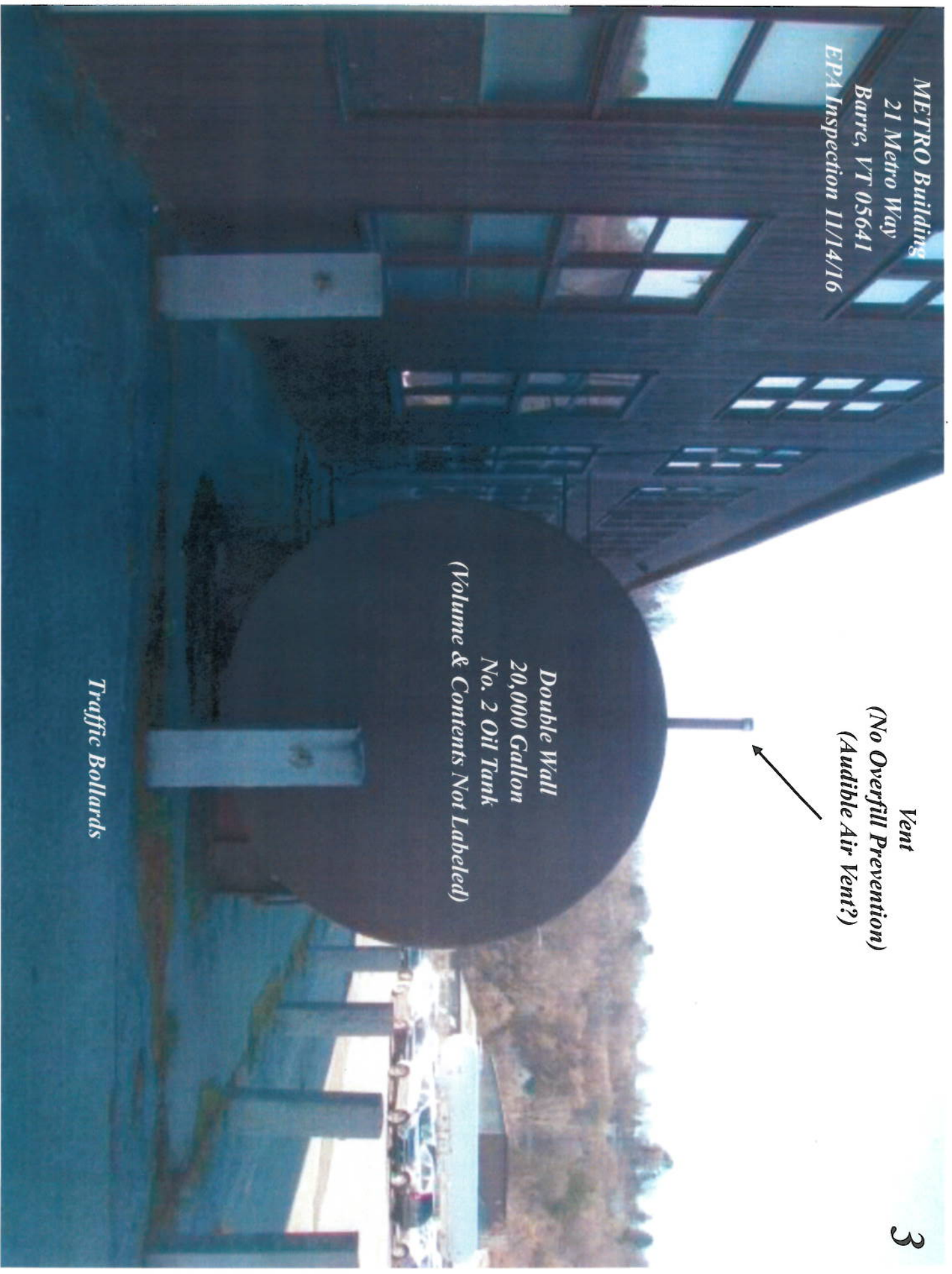
METRO Building
21 Metro Way
Barre, VT 05641
EPA Inspection 11/14/16

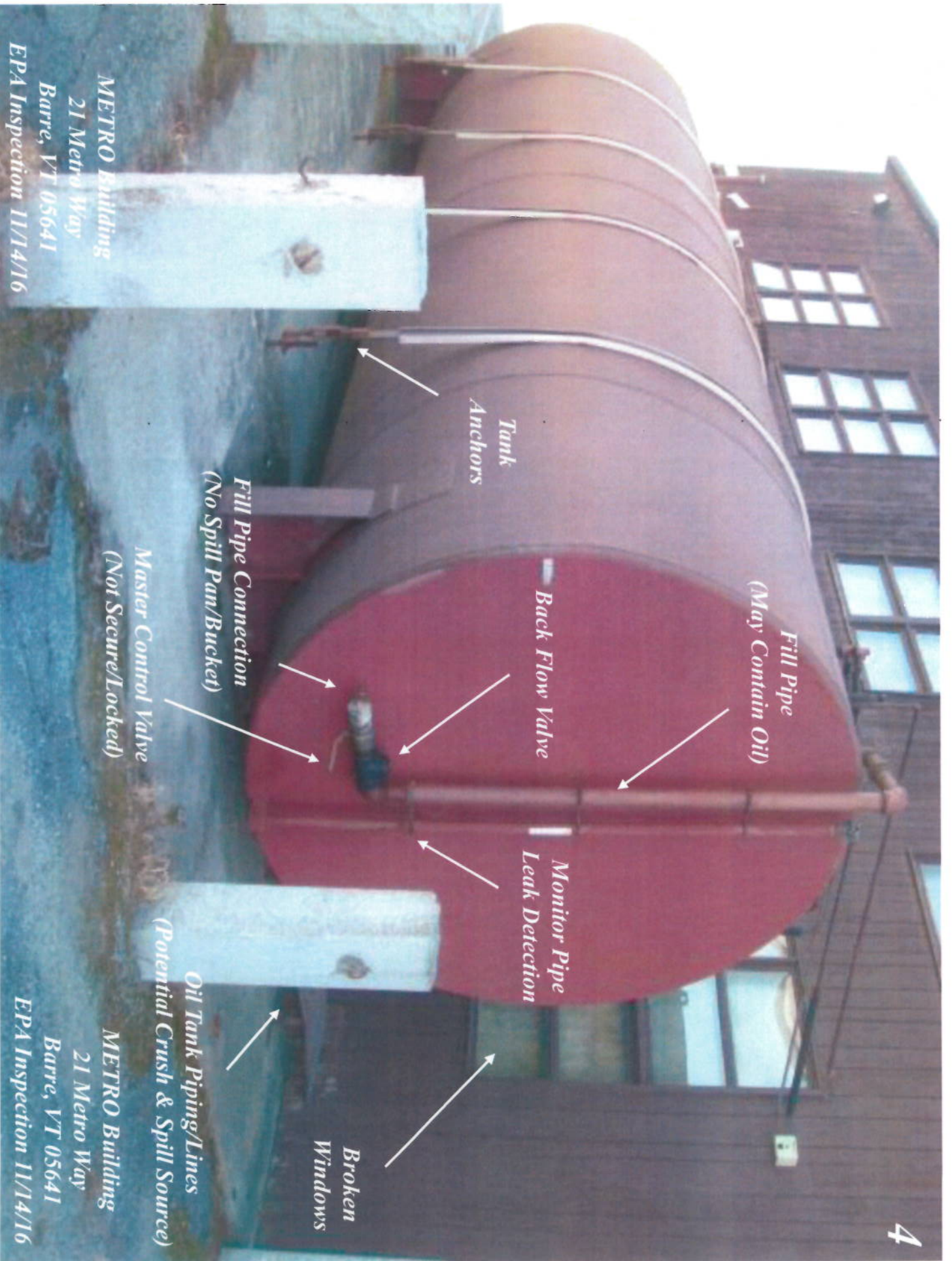
Vent
(No Overfill Prevention)
(Audible Air Vent?)



Double Wall
20,000 Gallon
No. 2 Oil Tank
(Volume & Contents Not Labeled)

Traffic Bollards





Fill Pipe
(May Contain Oil)

Back Flow Valve

Monitor Pipe
Leak Detection

Tank
Anchors

Fill Pipe Connection
(No Spill Pan/Bucket)

Master Control Valve
(Not Secure/Locked)

Oil Tank Piping/Lines
(Potential Crush & Spill Source)

Broken
Windows

METRO Building

21 Metro Way

Barre, VT 05641

EPA Inspection 11/14/16

METRO Building

21 Metro Way

Barre, VT 05641

EPA Inspection 11/14/16

METRO Building
21 Metro Way
Barre, VT 05641
EPA Inspection 11/14/16



*Broken Windows
Potential Illegal Building Entryway Path*

Tank Pad
Plate

Corrosion/Paint Failure
(Repair)

Tank Support

METRO Building
21 Metro Way
Barre, VT 05641
EPA Inspection 11/14/16



Corrosion/Paint Failure
(Repair)

*Corrosion/Paint Failure
(Repair)*

Tank Support

*METRO Building
21 Metro Way
Barre, VT 05641
EPA Inspection 11/14/16*

METRO Building
21 Metro Way
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Pipe
Anchors

Insulation

Oil Tank Piping/Lines Exposed
(Potential Crush & Spill Source)

METRO Building
21 Metro Way
Barre, VT 05641

*Oil Tanker Truck Off-Load Location
(No General Containment)
(No Vehicle Warning Signage)*

METRO Building
21 Metro Way
Barre, VT 05641
EPA Inspection 11/14/16

(Overflow Audio/Visual Alarm Unit?)
(Test and Confirm Operation)



METRO Building
21 Metro Way
Barre, VT 05641
EPA Inspection 11/14/16

Vent
(No Overfill Prevention)
(Audible Air Vent?)



Tank Pad
Straps



Tank Piping
(No Dial Gauge)

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METRO Building
21 Metro Way
Barre, VT 05641
EPA Inspection 11/14/16

2

Drainage Flow Direction

Truck Off-Load Location
(No General Containment)
(No Vehicle Warning Signage)

A-A

14

METRO DRAINAGE
21 Metro Way
Barre, VT 05641
EPA Inspection 11/14/16

A-A

B-B

Drainage Flow Direction



METRO Building
21 Metro Way
Barre, VT 05641
EPA Inspection 11/14/16

B-B

Drainage Flow Direction

Catch Basin
(Discharge Location Unknown)

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